

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 132 be amended to read as follows:

- 1 Replace the effective dates in SECTIONS 1 through 23 with
- 2 "[EFFECTIVE UPON PASSAGE]".
- 3 Page 1, between the enacting clause and line 1, begin a new
- 4 paragraph and insert:
- 5 "SECTION 1. IC 6-1.1-20-1.8 IS ADDED TO THE INDIANA
- 6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE UPON PASSAGE]: **Sec. 1.8. As used in this chapter,**
- 8 **"registered voter" means an individual who is registered to vote in**
- 9 **a political subdivision at least thirty (30) business days before the**
- 10 **proper officers of the political subdivision publish notice under**
- 11 **section 3.1(2) of this chapter of a preliminary determination by the**
- 12 **political subdivision to issue bonds or enter into a lease."**
- 13 Page 2, line 14, reset in roman "owners of real property".
- 14 Page 2, line 14, after "property" insert "**within the political**
- 15 **subdivision or"**.
- 16 Page 2, line 34, after "(100)" insert "**persons who are either"**.
- 17 Page 2, line 34, reset in roman "owners of real property".
- 18 Page 2, line 34, after "property" insert "**within the political**
- 19 **subdivision or"**.
- 20 Page 2, line 42, reset in roman "an owner or owners of real".
- 21 Page 3, line 1, reset in roman "property".
- 22 Page 3, line 1, after "property" insert "**within the political**
- 23 **subdivision or"**.
- 24 Page 3, line 2, reset in roman "owner".
- 25 Page 3, line 3, reset in roman "or owners.".
- 26 Page 3, line 3, after "owners" delete "." and insert "**or the"**.
- 27 Page 3, line 5, reset in roman "owners of real property;".
- 28 Page 3, line 5, after "property" delete ";" and insert "**or"**.
- 29 Page 3, line 13, after "as" insert "**owners of real property or"**.
- 30 Page 3, line 14, reset in roman "property owners.".
- 31 Page 3, line 14, after "owners" delete "." and insert "**or"**.

Page 3, line 15, after "voters." insert **"Each person signing a petition must indicate whether the person is signing the petition as a registered voter within the political subdivision or is signing the petition as the owner of real property within the political subdivision. A person who signs a petition as a real property owner must indicate the address of the real property owned by the person in the political subdivision."**

Page 3, between lines 22 and 23, begin a new line block indented and insert:

"(8) The county clerk shall determine whether each person who signed the petition is a registered voter. The county clerk shall forward a copy of the petition to the county auditor. Not more than five (5) business days after receiving the copy of the petition, the county auditor shall provide to the county clerk a statement verifying:

(A) whether a person who signed the petition as a registered voter but is not a registered voter, as determined by the county clerk, is the owner of real property in the political subdivision; and

(B) whether a person who signed the petition as an owner of real property within the political subdivision does in fact own real property within the political subdivision.

(9) The county clerk shall make the final determination of the number of petitioners that are registered voters in the political subdivision and, based on the statement provided by the county auditor, the number of petitioners that own real property within the political subdivision. Whenever the name of an individual who signs a petition form as a registered voter contains a minor variation from the name of the registered voter as set forth in the records of the county voter registration office, the signature is presumed to be valid."

Page 3, line 23, strike "(8)" and insert **"(10)"**.

Page 3, line 31, strike "fifteen (15)" and insert **"twenty-five (25)"**.

Page 3, line 33, reset in roman "owners of real".

Page 3, line 34, reset in roman "property".

Page 3, line 34, after "property" insert **"within the political subdivision and the number of petitioners who are"**.

Page 3, line 37, reset in roman "owners of real property".

Page 3, line 37, after "property" insert **"or"**.

Page 4, line 13, reset in roman "owners of real property".

Page 4, line 13, after "property" insert **"within the political subdivision or"**.

Page 4, line 26, reset in roman "an owner or owners of real property".

Page 4, line 26, after "property" insert **"within the political subdivision or"**.

Page 4, line 40, reset in roman "an owner or owners of real

1 property".

2 Page 4, line 40, after "property" insert **"within the political**
3 **subdivision or"**.

4 Page 4, line 42, reset in roman "owner".

5 Page 5, line 1, reset in roman "or owners.".

6 Page 5, line 1, after "owners" delete "." and insert **"or the"**.

7 Page 5, line 3, reset in roman "owners of real property;".

8 Page 5, line 3, after "property" delete ";" and insert **"or"**.

9 Page 5, line 13, after "as" insert **"owners of real property or"**.

10 Page 5, line 14, reset in roman "property owners.".

11 Page 5, line 14, after "owners" delete "." and insert **"or"**.

12 Page 5, line 15, after "voters." insert **"Each person signing a**
13 **petition or remonstrance must indicate whether the person is**
14 **signing the petition or remonstrance as a registered voter within**
15 **the political subdivision or is signing the petition or remonstrance**
16 **as the owner of real property within the political subdivision. A**
17 **person who signs a petition or remonstrance as a real property**
18 **owner must indicate the address of the real property owned by the**
19 **person in the political subdivision."**

20 Page 5, between lines 25 and 26, begin a new line block indented
21 and insert:

22 **"(5) The county clerk shall determine whether each person**
23 **who signed the petition or remonstrance is a registered voter.**
24 **The county clerk shall forward a copy of the petition or**
25 **remonstrance to the county auditor. Not more than five (5)**
26 **business days after receiving the copy of the petition or**
27 **remonstrance, the county auditor shall provide to the county**
28 **clerk a statement verifying:**

29 (A) whether a person who signed the petition or
30 remonstrance as a registered voter but is not a registered
31 voter, as determined by the county clerk, is the owner of
32 real property in the political subdivision; and

33 (B) whether a person who signed the petition or
34 remonstrance as an owner of real property within the
35 political subdivision does in fact own real property within
36 the political subdivision.

37 **(6) The county clerk shall make the final determination of:**

38 (A) the number of registered voters in the political
39 subdivision that signed a petition and, based on the
40 statement provided by the county auditor, the number of
41 owners of real property within the political subdivision
42 that signed a petition; and

43 (B) the number of registered voters in the political
44 subdivision that signed a remonstrance and, based on the
45 statement provided by the county auditor, the number of
46 owners of real property within the political subdivision
47 that signed a remonstrance.

- 1 **Whenever the name of an individual who signs a petition or**
- 2 **remonstrance as a registered voter contains a minor variation**
- 3 **from the name of the registered voter as set forth in the**
- 4 **records of the county voter registration office, the signature**
- 5 **is presumed to be valid."**
- 6 Page 5, line 26, strike "(5)" and insert "(7)".
- 7 Page 5, line 28, strike "fifteen".
- 8 Page 5, line 29, strike "(15)" and insert **"twenty-five (25)"**.
- 9 Page 5, line 35, reset in roman "owners of real".
- 10 Page 5, line 36, reset in roman "property".
- 11 Page 5, line 36, after "property" insert **"within the political**
- 12 **subdivision and the number of petitioners who are"**.
- 13 Page 5, line 38, strike "(6)" and insert **"(8)"**.
- 14 Page 5, line 38, after "of" insert **"persons who are either"**.
- 15 Page 5, line 38, reset in roman "owners of real property".
- 16 Page 5, line 38, after "property" insert **"within the political**
- 17 **subdivision or"**.
- 18 Page 6, line 6, strike "(5)." and insert **"(7)."**
- 19 Page 6, line 8, strike "(7)" and insert **"(9)"**.
- 20 Page 6, line 24, reset in roman "taxpayers".
- 21 Page 6, line 24, after "taxpayers" insert **"and"**.
- 22 Page 8, line 1, reset in roman "taxpayers".
- 23 Page 8, line 1, after "taxpayers" insert **"and"**.
- 24 Page 8, line 26, reset in roman "taxpayers".
- 25 Page 8, line 26, after "taxpayers" insert **"and"**.
- 26 Page 9, line 1, reset in roman "taxpayers".
- 27 Page 9, line 1, after "taxpayers" insert **"and"**.
- 28 Page 9, line 15, reset in roman "taxpayers".
- 29 Page 9, line 15, after "taxpayers" insert **"and"**.
- 30 Page 9, line 30, reset in roman "taxpayers".
- 31 Page 9, line 30, after "taxpayers" insert **"and"**.
- 32 Page 10, line 26, reset in roman "taxpayers".
- 33 Page 10, line 26, after "taxpayers" insert **"and"**.
- 34 Page 10, line 42, reset in roman "taxpayers".
- 35 Page 10, line 42, after "taxpayers" insert **"and"**.
- 36 Page 13, line 24, reset in roman "taxpayers".
- 37 Page 13, line 24, after "taxpayers" insert **"and"**.
- 38 Page 19, line 22, reset in roman "taxpayers".
- 39 Page 19, line 22, after "taxpayers" insert **"and"**.
- 40 Page 22, line 15, reset in roman "taxpayers".
- 41 Page 22, line 15, after "taxpayers" insert **"and"**.
- 42 Page 24, line 22, reset in roman "taxpayers".
- 43 Page 24, line 22, after "taxpayers" insert **"and"**.
- 44 Page 25, line 35, reset in roman "taxpayers".
- 45 Page 25, line 35, after "taxpayers" insert **"and"**.
- 46 Page 27, line 4, reset in roman "taxpayers".
- 47 Page 27, line 4, after "taxpayers" insert **"and"**.

- 1 Page 28, line 25, reset in roman "taxpayers".
 - 2 Page 28, line 25, after "taxpayers" insert "**and**".
 - 3 Page 29, line 16, reset in roman "taxpayers".
 - 4 Page 29, line 16, after "taxpayers" insert "**and**".
 - 5 Page 30, line 13, reset in roman "taxpayers".
 - 6 Page 30, line 13, after "taxpayers" insert "**and**".
 - 7 Page 31, line 21, reset in roman "taxpayers".
 - 8 Page 31, line 21, after "taxpayers" insert "**and**".
 - 9 Page 32, line 35, reset in roman "taxpayers".
 - 10 Page 32, line 35, after "taxpayers" insert "**and**".
 - 11 Page 33, line 34, reset in roman "taxpayers".
 - 12 Page 33, line 34, after "taxpayers" insert "**and**".
 - 13 Page 34, line 12, after "to a" insert "**preliminary**".
 - 14 Page 34, line 13, delete "July 1, 2007." and insert "**the effective**
 - 15 **date of this SECTION.**".
 - 16 Page 34, line 16, after "to a" insert "**preliminary**".
 - 17 Page 34, line 17, delete "after" and insert "**on or after the effective**
 - 18 **date of this SECTION.**".
 - 19 Page 34, delete line 18.
 - 20 Page 34, after line 19, begin a new paragraph and insert:
 - 21 "SECTION 25. **An emergency is declared for this act.**".
 - 22 Renumber all SECTIONS consecutively.
- (Reference is to SB 132 as printed January 10, 2007.)

Senator KENLEY